

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813
November 17, 2006

OAHU

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

Cancellation of Revocable Permit No.B-03-06, Magic Island Petroleum,
Permittee, Ala Wai Small Boat Harbor, Honolulu, Hawaii,
Tax Map Key: 2-3-37:20.

PURPOSE:

Cancellation of Revocable Permit No. B-03-06. Magic Island Petroleum, Inc.,
Permittee. Upon cancellation, issuance of a new Revocable Permit for a Marine
Service Station Fueling facility only, with no mooring rental authority.

LEGAL REFERENCE:

Section 171-55, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands of Ala Wai Small Boat Harbor situated at Kalia,
Waikiki, Oahu, identified by Tax Map Key: 2-3-37:20, as shown on the attached
map labeled Exhibit A-1.

AREA:

Reclaimed Land 15,199 square feet and 13,366 square feet of submerged lands
more or less. Any future permit shall be for fast land portion only and not include
any submerged areas. As shown on Exhibit A-2.

TRUST LAND STATUS:

ITEM J -1

RECOMMENDATION: That the Board:

1. Cancel the revocable permit and all rights of the Permittee and all obligations of the Lessor effective December 17, 2006, provided that any and all obligations of the lessee which have accrued up to said effective date or which are stated in the permit to survive cancellation shall endure past such cancellation date until duly fulfilled, and further provided that the Lessor reserves the rights and claims allowed by law.
2. Upon the Cancellation of Revocable Permit B-03-06 to Magic Island Petroleum, Inc., authorize the retention of all sums heretofore paid or pledged under Revocable Permit BO-03-06 to be applied to any amounts due.
3. Authorize Chairperson to issue a Revocable Permit for a Marine Service Facility on such terms as deemed to be necessary by DOBOR to best service the active users of the Harbor.
4. Authorize DOBOR to retain management of all submerged land surrounding the pier area of Mole B, and Fuel Dock site.
5. Authorize the Department of the attorney General, the Department of Land and Natural Resources, or their agents to collect all monies due the State of Hawaii under Revocable Permit B-03-06 and to pursue all other rights and remedies as appropriate.
6. Such other terms and conditions as may be prescribed by the Chairperson.

Respectfully Submitted,



Ed Underwood
Acting Administrator

APPROVED FOR SUBMITTAL:

Peter T. Young, Chairperson